REMARKS

This application has been reviewed in light of the Office Action dated July 29, 2004. Claims 1-5, 9-15, 18, 31, 33, and 38-40 are presented for examination, of which Claims 1, 31, and 38-40 are in independent form. Claims 1, 9-15, 18, 31, and 38-40 have been amended to define Applicant's invention more clearly. Favorable reconsideration is requested.

As an initial matter, Applicants note that the Office Action Summary indicates that Claims 6-8, 16, 17, 19-30, 32, and 34-37 stand withdrawn. However, those claims have been previously canceled, as noted at paragraph 1 of the Office Action.

The Office Action states that Claims 1-5 and 9-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,048,117 (Banton) in view of U.S. Patent No. 5,946,457 (Nakai et al.). The Office Action does not explicitly state that Claims 18, 31, 33, and 38-40 are rejected, although the body of the Office Action addresses those claims in the context of Banton and Nakai et al. Applicants submit that independent Claims 1, 31, and 38-40, together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Claim 1 is directed to a copying machine including an image reading unit and an image output unit for printing an image read by the image reading unit. A network interface connects the copying machine to a network. Search means searches a plurality of image output

apparatuses connected to the network, and obtaining means obtains a state of each image output

apparatus. Operation means displays a plurality of searched image output apparatuses and a state

of each searched image output apparatus, and inputs a user instruction according to the displayed

states for selecting an image output apparatus, for which calibration is performed, from the

displayed plurality of image output apparatuses. Pattern output means causes the selected image

output apparatus to output a predetermined test pattern. Correction data generation means

generates correction data for the selected image output apparatus, based on test pattern data

obtained from the image reading unit which reads the predetermined test pattern outputted by the

selected image output apparatus. Setting means sets the generated correction data as correction

data for the selected image output apparatus.

Among other notable features of Claim 1 are searching a plurality of image output

apparatuses connected to a network (see, e.g., the present specification, from page 23, line 15, to

page 24, line 1), obtaining a state of each image output apparatus (see, e.g., the present

specification, from page 42, line 21, to page 43, line 9), and displaying a state of each searched

image output apparatus (see, e.g., the present specification, from page 42, line 21, to page 43, line

9).[1]

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[1] It is of course to be understood that the references to various portions of the present
application are by way of illustration and example only, and that the claims are not limited
by the details shown in the portions referred to.

Banton, as understood by Applicants, relates to a network-based system for color calibration of printers. With reference to Figs. 1 and 2, to calibrate a printing device, such as the multi-functional device 15, the device or a user initiates calibration 200 by requesting the multi-functional device 15 to generate 205 an electronic test pattern 100. The test pattern 100 includes a plurality of color patches 105 in response to an input color pattern. Identification coded data 110 is generated for the test pattern 100 and includes data representing properties of a desired calibration output print. (See column 3, lines 45-56.)

Even if Banton be deemed to discuss calibration performed for a plurality of printers connected to a network, nothing in Banton would teach or suggest any of searching a plurality of image output apparatuses connected to a network, obtaining a state of each image output apparatus, and displaying a state of each searched image output apparatus, as recited in Claim 1.

Nakai et al., as understood by Applicants, relates to an image forming system having a transfer device for communicating between an image forming apparatus and an image processing apparatus. Nakai et al. discusses, from column 24, line 38, to column 25, line 24 (cited in the Office Action) showing a list of digital copying machines connected to a host computer. However, nothing in Nakai et al. would teach or suggest obtaining a state of each image output apparatus, and displaying a state of each searched image output apparatus. It can be

useful to obtain states of a plurality of image output apparatuses for performing calibration.

Reasons for obtaining the state of the image output apparatus are described in the present

specification, from page 42, line 2, to page 43, line 9. For example, by virtue of the feature of

Claim 1 in which a state of each image output apparatus is obtained (e.g., "printing," "error,"

waiting for job") a user can specify a desired printer for gradation correction. When the printer

selected is in the state of "waiting for job," the test pattern can be output immediately.[2]

Nothing in Banton or Nakai et al., either separately or in any permissible

combination (if any) would teach or suggest obtaining a state of each image output apparatus,

and displaying a state of each searched image output apparatus, as recited in Claim 1.

Accordingly, Applicants submit that Claim 1 is clearly allowable over Banton and

Nakai et al., whether considered either separately or in any permissible combination (if any).

Independent Claims 31 and 38-40 include features similar to those discussed

above in connection with Claim 1. Accordingly, these claims are believed to be patentable over

those references for at least the reasons discussed above in connection with Claim 1.

The other rejected claims in this application depend from one or another of the

independent claims discussed above and, therefore, are submitted to be patentable over Nanton

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[2]   It is of course to be understood that the claims are not limited by the details of this
       example.

and Nakai et al. for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.
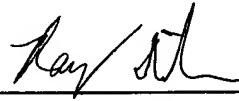
This Amendment After Final Action is believed clearly to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for the present Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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